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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,776	12/22/2000	Christian Merheim	63923	1432
2292	7590	07/07/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			VO, TUNG T	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/746,776	Applicant(s) MERHEIM ET AL.	
	Examiner Tung Vo	Art Unit 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/12/2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuasa et al. (US 4,679,077).

Re claims 1, 6, and 9, Yuasa teaches a monitoring system for carrying out a method of monitoring monitored locations by means (figs. 1, 3-5) of a monitoring system comprising a plurality of monitoring modules, each of which has a light-sensitive sensor (a visual image sensor, 1-1n of fig. 1), for monitoring the monitored locations (1-1n of fig. 1, the visual image sensor is at different locations), and

Art Unit: 2621

a remote monitoring station with an operator (fig. 5, note remote monitoring operation), comprising the steps of:

recording (1-1n of fig. 1) by each of the monitoring modules an image of the monitored location associated with the monitoring module,

extracting (17 of fig. 1 and 20 of fig. 3) in each of the monitoring modules an area in the recorded image that differs from a reference image,

extracting (30 of fig. 4) in each of the monitoring modules an object from the area,

classifying (32-37 of fig. 4) in each of the monitoring modules the object based on characteristics, such as a characteristic of the type: size, shape and/or movement history, associated with the object (col. 10, line 26-col. 11, line 22),

if the object is a human alarm object, transmitting, if the object is classified as a human alarm object (col. 10, lines 34-65), data representing only the extracted area of the image in a stylized way (27 of fig. 3; col. 8, lines 60-68) to the monitoring station (fig. 5; col. 12, lines 14-34), and

recreating (73-86 of fig. 5) said transmitted data in the monitoring station and displaying the same (86 of fig. 5) to the operator for verification of the human alarm object.

Re claims 2-5, 7-8, 10-11, Yuasa further discloses in which the method further comprises the step of creating the outline shape of the area in order to represent the object in a stylized way (27 of fig. 3); in which the stylized area is a stylized outline shape (col. 8, lines 60-68); the step of comparing particular characteristics (60, 65, and 66 of fig. 4) associated with the object with corresponding characteristics associated with an object extracted from a previously recorded image (col. 6, lines 12-23), in which case if the characteristics conform to the extent that they can

Art Unit: 2621

be considered to belong to the same object, data is recorded about the movement history of the object for classification and/or transmission to the monitoring station to be recreated and displayed to the operator (col. 10, line 66-col.11, line 9); if the object is classified as a human alarm object, of transmitting supplementary alarm information about the area such as information of the type (col. 10, lines 52-65): intensity regions and/or line content together with data representing the area in a stylized way and of recreating and displaying the transmitted supplementary alarm information (84 and 86 of fig. 5, note character data is superimposed with the data representing the data in a stylized (line drawing)).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mead (US 6,088,484) discloses a segmenting objects comparing with the object library.

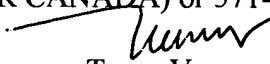
### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tung Vo  
Primary Examiner  
Art Unit 2621